

DASCHLE, BINGAMAN, CLELAND, BOXER, HARKIN and LIEBERMAN to get the Omnibus Patent Act, S. 507, considered and passed by the Senate. It is an important measure to America's future. Working in tandem with Senator HATCH, we developed a good bill that was reported to the Senate by a vote of 17 to one over a year ago.

We have been seeking Senate consideration and a vote for more than a year, but Republican objections have prevented its passage. Last month, I signed on to offer our patent bill as an amendment to the bankruptcy bill. I felt strongly that it was long past time for the Senate to consider this patent reform legislation. Unfortunately, Republican opposition, again, prevented Senate consideration and prevented the amendment from even being offered.

I deeply regret that Republican objections succeeded in preventing Senator HATCH from even offering our amendment, in spite of the amendment spot that we had reserved for that purpose. I know that there is strong support for this measure and I know that no Senate Democrat has been preventing or objecting to its consideration.

Anonymous Senate Republican have prevented the patent bill from being given the opportunity to be debated. This is not the way for the Senate to act. Republican objections killed patent reform silently, without fingerprints, and without debate.

I want to thank Secretary Daley and the Administration for their unflinching support of effective patent reform. Our patent bill would be good for Vermont, good for American innovators of all sizes, and good for America. Unfortunately, some secret minority of Senate Republicans will not allow patent reform to proceed.

The patent bill would reform the U.S. patent system in important ways. It would reduce legal fees that are paid by inventors and companies; eliminate duplication of research efforts and accelerate research into new areas; increase the value of patents to inventors and companies; and facilitate U.S. inventors and companies' research, development, and commercialization of inventions.

Republican and Democratic Administrations alike, reaching back to the Johnson Administration, have supported these reforms. Last year, five former Patent Commissioners sent a letter to the President and to the members of the Senate supporting the patent reform bill.

Senator HATCH and I agreed to incorporate suggestions from the White House Conference on Small Businesses and I am pleased to report that as a result, the White House Conference on Small Businesses, the National Association of Women Business Owners, the National Venture Capital Association, National Small Business United, and the Small Business Technology Coalition concluded that the bill would be of great benefit to small businesses.

Unfortunately, because of Republican opposition to this bipartisan bill, the

Senate will have no opportunity to consider this legislation to assist U.S. inventors small and large. I find this particularly unfortunate since our patent bill was geared toward improving the operational efficiency at the PTO and making government smaller and leaner.

Today's inventors and creators can be much like those of THOMAS Jefferson's day—individuals in a shop, garage or home lab. They can also be teams of scientists working in our largest corporations or at our colleges and universities. Our nation's patent laws should be fair to American innovators of all kinds—independent inventors, small businesses, venture capitalists and larger corporations. To maintain America's preeminence in the realm of technology we need to modernize our patent system and patent office. Our inventors know this and that is why they support this legislation.

I have received many letters of endorsements for S. 507, some of which I placed into the CONGRESSIONAL RECORD on June 23, July 10 and July 16, from the following coalitions and companies: the White House Conference on Small Businesses, the National Association of Women Business Owners, the Small Business Technology Coalition, National Small Business United, the National Venture Capital Association, the 21st Century Patent Coalition, the Chamber of Commerce of the United States of America, the Pharmaceutical Research and Manufactures of American (PhRMA), the American Automobile Manufacturers Association, the Software Publishers Association, the Semiconductor Industry Association, the Business Software Alliance, the American Electronics Association, the Institute of Electrical and Electronics Engineers, Inc., the Biotechnology Industry Organization, the International Trademark Association, IBM, 3M, Intel, Caterpillar, AMP, and Hewlett-Packard. In addition, I have letters of support from the National Association of Manufacturers, TSM/Rockwell International, Obsidian, and Allied Signal.

I am deeply disappointed that the Senate is being prevented from considering this important legislation by Republican recalcitrance. American inventors deserve better and America's future is being short changed. ●

IMMIGRANT NOBEL PRIZE WINNERS

● Mr. ABRAHAM. Mr. President, I would like to bring to the attention of my colleagues a recent article in the Washington Times dealing with the large proportion of Nobel Prize winners in the United States who are immigrants. As reported in this article, while only approximately 8 percent of the American population was foreign-born as of 1990, approximately one third of American winners of the Nobel Prize have been immigrants.

The Times also reports that, according to the National Research Council, "immigrants have won 32 percent of the U.S. Nobel Prizes for physics, 31

percent of the medicine and economics prizes, and 26 percent of the chemistry prizes." This year, Austrian-born American Walter Kohn won the Nobel Prize for Medicine and Daniel Tsui, born in China, won the Nobel Prize in Physics as a naturalized American.

Mr. President, I believe every American should take great pride in these gentlemen's accomplishments. By keeping American society free and open we attracted them to our borders. Through our willingness to seek out and hire the most talented people available we gave them the opportunity to excel. By rising above considerations of national origin and family background all of us have benefitted from the discoveries, the intelligence and the hard work of literally millions of immigrants—from my own grandparents to the ancestors of our Founding Fathers to the latest immigrant, intent on making a better life for himself and his family.

I ask that the full text of the article from the Washington Times be printed in the RECORD.

The article follows:

[From the Washington Times, Oct. 17, 1998]

IMMIGRANTS HELP U.S. BRING HOME NOBEL BACON

(By Ruth Larson)

This week's announcement of the Nobel Prizes for science continued America's longstanding dominance of the prestigious awards, thanks in large part to a wealth of foreign-born talent.

A National Research Council report last year found that about a third of all U.S. Nobel Prizes were won by scientists born overseas. Immigrants have won 32 percent of the U.S. Nobel Prizes for physics, 31 percent of the medicine and economics prizes, and 26 percent of the chemistry prizes.

Although the report does not state where the immigrants were born, the last 16 winners since 1987 have come from places like Austria, Germany, Switzerland, Hungary, Canada, Mexico and Korea.

"There's no doubt about it: Immigrants represent a very high proportion of Nobel Prize winners," said Cato Institute economist Stephen Moore.

The number of foreign-born Nobel Prize winners is all the more striking, given that the U.S. foreign-born population reached just 8 percent in 1990, the report said.

The Nobel Prizes, considered the ultimate symbols of scientific achievement, show how America in the 1990s has become a high-tech melting pot, recruiting science and engineering talent from around the world to fuel the growth of industries from computers and electronics to pharmaceuticals and biotechnology.

In 1993, 23 percent of those holding science and engineering doctorates were born overseas, according to the National Science Foundation's latest figures.

Shirley Malcom of the American Association for the Advancement of Science, said, "The best and the brightest come here because there has been a tremendous research establishment built up in this country."

Mr. Moore agreed: "If you're one of the world's top scientists, you want to be at Stanford or Harvard or MIT, where they have some of the best academic research facilities."

History has helped, too. Obviously, World War II played a major role, with many of the

more repressive regimes discriminating against scientists of a particular heritage or background," Ms. Malcom said.

"In many cases, scientists had no choice but to leave. They came to the U.S. because they were offered opportunities to pursue their life's work without regard to those extraneous issues."

Road Hoffman, a 1981 winner of the Nobel Prize for chemistry, fled with his family in 1949 from their native Poland.

"I was one of the last generations of Hitler's gifts to America," he said.

A wave of Central European scientists, including physicists Albert Einstein and Enrico Fermi, fled the rise of Nazism and anti-Semitism and came to America.

The scientific research structure established after World War II flourished, with the help of a strong economy and generous government funding from agencies like the National Science Foundation and the National Institutes of Health, he said.

"The freedom to do the scientific research you want . . . is tremendous, as is the ease of interaction with other scientists," Mr. Hoffman said. Success then breeds success: "Once you have built up a good reputation in a particular area, it attracts other scientists, as we've seen in the biomedical field."

Ms. Malcom predicted that a similar influx of scientists fleeing the former Soviet Union would be reflected in future Nobel winners. "Not just because of the Cold War, either," she said. "They've lost much of the infrastructure needed for research and development, as well."

But wars and repressive regimes cannot account for the success of immigrants once they arrive on American soil.

"We're getting people with the motivation and ambition that leads to high achievement," Mr. Moore said. "There's a certain amount of risk-taking associated with success."●

ENACTMENT OF THE SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT

● Mr. BRYAN. Mr. President, it is with great pleasure that I rise today to announce the enactment of the Southern Nevada Public Land Management Act. This historic legislation passed the Senate on October 8th and President Clinton signed it into law on October 19, 1998.

Mr. President, this legislation has its roots in the Southern Nevada Public Lands Task Force. The Task Force was originally established in the summer of 1994 by Congressman Jim Bilbray to provide an open forum in which public land issues affecting the Las Vegas Valley could be discussed among federal, state, local, and private entities. It is comprised of representatives from the State of Nevada, Clark County, the cities of Las Vegas, North Las Vegas, and Henderson, the Bureau of Land Management, the Forest Service, the National Park Service, the Fish and Wildlife Service, the Southern Nevada Water Authority, the Regional Flood Control District, the Clark County School District, and representatives of the development and environmental communities.

At its inception, the Task Force set two primary goals for itself: (1) to establish and maintain a better working relationship between the BLM and

local governmental planning agencies; and (2) to develop a "master plan" for the Las Vegas Valley that identified those BLM lands which should be transferred to private ownership and those which should be retained for public purposes.

In the summer of 1995, Senator REID and I reconvened the Task Force to build on the goal of developing a "master plan" for the Las Vegas Valley. We worked closely with the Task Force in our efforts to develop a legislative proposal that sought to improve the current BLM land disposal policy in the Las Vegas Valley; this proposal eventually became the Southern Nevada Public Land Management Act, which Senator REID and I introduced in the Senate on March 19, 1996. Congressman ENSIGN then introduced a companion bill in the House, and I have enjoyed working with him in a bipartisan fashion over the last several years to fine tune this legislation and shepherd it through the Congress.

The Southern Nevada Public Land Management Act is a response to perhaps the greatest challenge facing Southern Nevada—the need to promote responsible, orderly growth in the Las Vegas Valley while protecting the surrounding environment and enhancing the recreational opportunities that exist in Southern Nevada. In the broadest sense, the legislation reflects a partnership between federal, state, and local entities to enhance the quality of life in the Las Vegas Valley and throughout the State of Nevada.

As many of my colleagues are aware, the Las Vegas valley is the fastest growing metropolitan area in the country. Since the beginning of this decade, nearly five thousand people each month, on average, have chosen to make Las Vegas their new home. Last year alone, nearly 20,000 new homes were built in the Las Vegas valley to accommodate this explosive growth. And while the majority of Southern Nevadans have welcomed the benefits of an expanding, robust economy, there is a realization within the community that a long-term, strategic plan must be developed to deal with growth related problems.

Both State and local elected officials are currently grappling with different ideas as to how best to meet the infrastructure needs and quality of life expectations of current and future generations of southern Nevadans. Local officials estimate that new infrastructure development over the next ten years will cost between three and eight billion dollars for such things as school construction and water, sewer and transit systems. To give you an idea of the magnitude of the situation, the Clark County School District needs the equivalent of a new elementary school every 30 days for the next five years to keep pace with the twelve thousand new students entering the school system every year.

Mr. President, this legislation is a critical component of Southern Ne-

vada's long term plan to manage growth in the Las Vegas valley. Each time the BLM transfers land into private ownership it has important repercussions for the local governmental entity that must provide infrastructure and services to that land. The Bureau of Land Management (BLM) controls in excess of 20,000 acres of land throughout the Las Vegas valley. Consequently, unlike most communities, land use planning decisions are not made solely at the local level; the BLM is an important player in the local land use planning process. This legislation would strengthen the partnership between the BLM and local government and improve upon the current land use planning process.

The BLM's primary method of disposing of land in the Las Vegas valley, through land exchanges, has been the subject of much attention over the past several years. I happen to believe that land exchanges serve a valuable public purpose—the Federal Government disposes of land it no longer needs in exchange for land that is worthy of public ownership. In the Las Vegas valley, however, the real estate market is such that it does not lend itself well to appraisal-driven land exchanges. Disagreements between the BLM and exchange proponents over appraisal methodology and value determinations are often the cause of protracted delays in the land exchange process. Because of the dynamic nature of the real estate market in the Las Vegas valley, any delay in the exchange process can cause the appraisals to become outdated before the transaction is closed.

Mr. President, the legislation before us today would make two significant improvements over the current land exchange process: (1) it would allow local land managers to take a more pro-active role in federal land disposal decisions; and (2) it would institute a competitive bidding procedure to ensure that the disposal of BLM land yields the highest return, or true "fair market value." There are currently over twenty-five land exchange proposals pending in the BLM's Las Vegas office—some are clearly in the public interest, others are not. The vast majority of these proposals are intra-state exchanges, meaning the BLM has the authority to process them without Congressional action. This legislation would open the process to allow anyone who wishes to bid on BLM land to do so in a competitive sale, and it would eliminate the need to enter into protracted appraisal negotiations over selected BLM land that so often bog down the already cumbersome exchange process. The legislation stands for the same proposition as the current land exchange process—the sale of federal land in the Las Vegas Valley should be used as a means of protecting environmentally sensitive land throughout the State of Nevada and of enhancing the use of public land recreational areas in Southern Nevada.